

### REMARKS

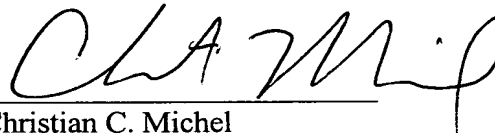
Reconsideration and allowance of the above-identified application are respectfully requested. Upon entry of this Amendment, claims 1-20 will be pending.

Claim 5 has been amended to correct a typo.

Claims 1, 10 and 13 have been amended to clarify a distinction between the present invention and references cited by the Examiner, namely U.S. Patent No. 6,363,440 to Stepp et al. Applicants argued during appeal that the present invention is distinguished from Stepp in that the auxiliary data embedded into the digital audio radio service signal represents the *actual* delineation between broadcast segments (i.e., songs), as opposed to some other piece of information such as intended broadcast time, or receiver clock time (start time) as disclosed in Stepp. The Board of Patent Appeals and Interferences indicated that the claims, as presented on Appeal, were not adequately limited to an *actual delineation* between broadcast segments, and therefore could be read to include Stepp. The above amendment therefore clarifies that embodiments of the present invention receive a DARS signal comprising auxiliary data representing an *actual delineation between* broadcast segments, as opposed to any other "start time" not necessarily tied to an actual delineation between broadcast segments.

In view of the above, it is believed that the application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'C. Michel', written over a horizontal line.

Christian C. Michel  
Attorney for Applicant  
Reg. No. 46,300

Roylance, Abrams, Berdo & Goodman, L.L.P.  
1300 19<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036  
(202) 659-9076

Dated: January 31, 2005